

**DECLARATION OF OIL AND GAS NOTICE**

(Tax Map 7, Webster District, Marshall County, West Virginia)

The undersigned hereby declares:

(1) The undersigned is the owner (or lessee) of one or more coal seams or workable coal beds as those terms are defined in Section One, Article Six, Chapter Twenty-two (Section 22-6-1) of the Code of West Virginia.

(2) The coal seam(s) or workable coal bed(s) owned or leased partly or wholly by the undersigned lies under the surface of lands described in the Exhibit A attached hereto and made a part hereof.

(3) The undersigned desires to be given all notices of oil and gas operations provided by Sections Twelve, Thirteen, Fourteen, Twenty-three and Thirty-six of Article Six, Chapter Twenty-two (Sections 22-6-12; 22-6-13; 22-6-14; 22-6-23; and 22-6-36) of the Code of West Virginia, addressed as follows:

CONRHEIN COAL COMPANY

CONSOL PENNSYLVANIA COAL COMPANY LLC

RESERVE COAL PROPERTIES COMPANY

CONSOLIDATION COAL COMPANY

McELROY COAL COMPANY

CNX LAND RESOURCES INC.

C/O LEATHERWOOD, INC.  
1000 CONSOL ENERGY DRIVE  
CANONSBURG, PA 15317-6506

IN WITNESS WHEREOF, Conrhein Coal Company, a Pennsylvania corporation, has caused its corporate name to be subscribed hereto this 16 day of JANUARY, <sup>2009</sup>2008, by **DENNIS R. McCRACKEN**, its ASST. MANAGER, by authority duly given.

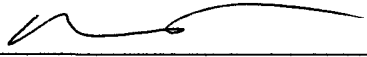
JAN PEST  
MARSHALL County 09:13:53 AM  
Instrument No 1268221  
Date Recorded 05/04/2009  
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Book-Page 680-154  
Recording Fee \$7.00  
Additional \$6.00

CONRHEIN COAL COMPANY  
a Pennsylvania corporation:

By:   
Its: ASSISTANT MANAGER

IN WITNESS WHEREOF, Consolidation Coal Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 16 day of JANUARY, <sup>2009</sup>2008, by **ROBERT P. KING**, its **VICE PRESIDENT**, by authority duly given.

CONSOLIDATION COAL COMPANY  
a Delaware corporation:

By: 

Its: **VICE PRESIDENT**

IN WITNESS WHEREOF, CONSOL Pennsylvania Coal Company LLC, a Delaware limited liability company, has caused its corporate name to be subscribed hereto this 16 day of JANUARY, <sup>2009</sup>2008, by **ROBERT P. KING**, its **VICE PRESIDENT**, by authority duly given.

CONSOL PENNSYLVANIA COAL COMPANY LLC  
a Delaware limited liability company:

By: 

Its: **VICE PRESIDENT**

IN WITNESS WHEREOF, Reserve Coal Properties Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 16 day of JANUARY, <sup>2009</sup>2008, by **DENNIS R. McCRACKEN**, its **VICE PRESIDENT**, by authority duly given.

RESERVE COAL PROPERTIES COMPANY  
a Delaware corporation:

By: 

Its: **VICE PRESIDENT**

IN WITNESS WHEREOF, McElroy Coal Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 10 day of December, 2008, by CHARLES T. SHAYNAK, its VICE PRESIDENT, by authority duly given.

MCELROY COAL COMPANY  
a Delaware corporation:

By: Charles T. Shynak  
Its: Vice President

IN WITNESS WHEREOF, CNX Land Resources Inc., a Delaware corporation, has caused its corporate name to be subscribed hereto this 16 day of JANUARY, <sup>2009</sup>2008, by DENNIS R. MCCracken, its VICE PRESIDENT, by authority duly given.

CNX LAND RESOURCES INC.  
a Delaware corporation:

By: Dennis R. McCracken  
Its: VICE PRESIDENT

**NOTE:** PLEASE PROPERLY INDEX THIS DOCUMENT (1) UNDER CONSOLIDATION COAL COMPANY, CONSOL PENNSYLVANIA COAL COMPANY, RESERVE COAL PROPERTIES COMPANY, CONRHEIN COAL COMPANY, MCELROY COAL COMPANY, AND CNX LAND RESOURCES INC. AS A GRANTOR, AND (2) UNDER THE NAMES OF EACH OF THE INDIVIDUAL SURFACE OWNER NAMES LISTED ON THE ATTACHED EXHIBIT A AS GRANTORS, ACCORDING TO LAST NAME AND/OR ENTITY NAME.

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared DENNIS R. MCCracken, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the ASST. MANAGER of CONRHEIN COAL COMPANY, a PENNSYLVANIA corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 16 day of JANUARY, ~~2008~~ 2009

COMMONWEALTH OF PENNSYLVANIA  
(SEAL)  
Notarial Seal  
Jane M. Young, Notary Public  
Cecil Twp., Washington County  
My Commission Expires June 20, 2009  
Member, Pennsylvania Association of Notaries

Jane M. Young  
Notary Public

My Commission expires \_\_\_\_\_

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared **ROBERT P. KING**, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the **VICE PRESIDENT** of CONSOLIDATION COAL COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 16 day of JANUARY, 2008. ~~2009~~

COMMONWEALTH OF PENNSYLVANIA  
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My Commission expires \_\_\_\_\_

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared **ROBERT P. KING**, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the **VICE PRESIDENT** of CONSOL PENNSYLVANIA COAL COMPANY LLC, a DELAWARE limited liability company, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 16 day of JANUARY, 2008. ~~2009~~

COMMONWEALTH OF PENNSYLVANIA  
(SEAL)  
Notarial Seal  
Jane M. Young, Notary Public  
Cecil Twp., Washington County  
My Commission Expires June 20, 2009  
Member, Pennsylvania Association of Notaries

Jane M. Young  
Notary Public  
My Commission expires \_\_\_\_\_

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared **DENNIS R. McCRACKEN**, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the **VICE PRESIDENT** of RESERVE COAL PROPERTIES COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 16 day of JANUARY, 2008.

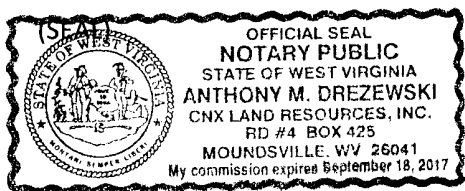
COMMONWEALTH OF PENNSYLVANIA  
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Cecil Twp., Washington County  
My Commission Expires June 20, 2009  
Member, Pennsylvania Association of Notaries

Jane M. Young  
Notary Public  
My Commission expires \_\_\_\_\_

STATE OF WEST VIRGINIA  
~~COMMONWEALTH OF PENNSYLVANIA~~

COUNTY OF MARSHALL

Before me, ANTHONY M. DREZEWSKI, a Notary Public, on this day personally appeared CHARLES T. SHAYNAK, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of MCELROY COAL COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 10 day of DECEMBER, 2008.



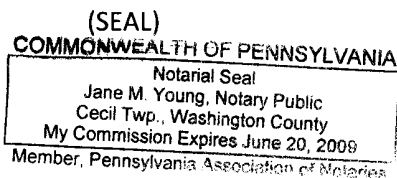
Anthony M. Drezevski  
 Notary Public

My Commission expires September 18, 2017

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared DENNIS R. McCRACKEN, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the **VICE PRESIDENT** of CNX LAND RESOURCES INC., a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 16 day of JANUARY, 2008. ~~2009~~



Jane M. Young  
 Notary Public

My Commission expires \_\_\_\_\_

This Document Prepared By:

J. Kevin Ellis

WV Bar No. 9964

Steptoe & Johnson PLLC

1085 Van Voorhis Road

PO BOX 1616

Morgantown, WV 26507

(304) 598-8000

**EXHIBIT A - SURFACE TRACTS (BAILEY MINE)**  
**Tax Map 7, Webster District, Marshall County, West Virginia**

Tax Map	Parcel	Last Name	First Name	Street Address	City	State	Zip	Assessment Description	Reference
7	1.2	JAGA INC		RR 1 BOX 292	MOUNDSVILLE	WV	26041	11.552 NEAR LIMESTONE	648/184
7	1.3	WIESNER	GEORGE L ET UX	RR 1 BOX 326	MOUNDSVILLE	WV	26041	19.55 NEAR LIMESTONE & 1/2 INT O&G	604/188
7	2	JAGA INC		RR 1 BOX 292	MOUNDSVILLE	WV	26041	11.91 A LIMESTONE	625/317
7	2.1	WIESNER	GEORGE L ET UX	RR 1 BOX 326	MOUNDSVILLE	WV	26041	PT 5.550 A LIMESTONE	604/188
7	2.1	WIESNER	GEORGE L ET UX	RR 1 BOX 326	MOUNDSVILLE	WV	26041	PT 5.550 A LIMESTONE	604/188
7	2.2	MEBERG	MARK K ET UX	RR 1 BOX 323	MOUNDSVILLE	WV	26041	32.40 A LIMESTONE	611/119
7	2.4	MILLER	R CRAIG & DONITA D	11006 HOOVER AVE NW	UNIONTOWN	OH	44685	26.30 A LIMESTONE 1980 MOBILE HOME	636/94
7	3	LOGSDON	JUDITH A	RR 1 BOX 322	MOUNDSVILLE	WV	26041	30.23 A LIMESTONE	489/130
7	4	LOGSDON	KEITH A & ROBIN S	RR 1 BOX 322	MOUNDSVILLE	WV	26041	35.59 A LIMESTONE	654/356
7	6	GORAKSHYA-SEVA ENVIRONMENTAL EDUCATION		RR 6 BOX 278B	WHEELING	WV	26003	55.822 A NEAR LIMESTONE	609/301
7	6.1	STORCH	ROBERT A	RR 1 BOX 327	MOUNDSVILLE	WV	26041	5.783 A NEAR LIMESTONE	634/491
7	6.4	SOFSKY	EMIL P JR ET AL	RR 1 BOX 331	MOUNDSVILLE	WV	26041	13.864 A NEAR LIMESTONE	602/145
7	7	GORAKSHYA-SEVA ENVIRONMENTAL EDUCATION		RR 6 BOX 278B	WHEELING	WV	26003	66.06 PLEASANT VALLEY	609/308
7	8	YOUNG	ROBERT L ET UX	RD 1 BOX 279	MOUNDSVILLE	WV	26041	29.864 STULLS RUN	521/148
7	8.2	KITTLE	HILDA MAE - LIFE	RR 1 BOX 280	MOUNDSVILLE	WV	26041	23.2 A STULLS RUN	WB76/233
7	8.3	YOUNG	ROBERT L ET UX	RR 1 BOX 279	MOUNDSVILLE	WV	26041	40.2 A STULLS RUN	549/530
7	13.2	SHERWOOD	JOHN H ET UX	RR 1 BOX 270A	MOUNDSVILLE	WV	26041	11.755 A STULLS RUN	581/702
7	13.3	HYMAN	ALAN ET AL	RR 1 BOX 273	MOUNDSVILLE	WV	26041	5 A STULLS RUN	542/301
7	13.4	SPICHER	JEFFREY ET UX	RR 1 BOX 270D	MOUNDSVILLE	WV	26041	13.592 STULLS RUN	589/379
7	13.5	BROWN	JOSHUA C	3679 BAYTREE ST	PITTSBURGH	PA	15205	12.271 STULLS RUN	618/547
7	13.6	SHERWOOD	JOHN H ET AL	RR 1 BOX 270A	MOUNDSVILLE	WV	26041	12.629 A STULLS RUN	591/420
7	13.7	JONES	BHIMASENA	1875 VIRGINIA AVE	NOVATO	CA	94949	5.331 A STULLS RUN	591/450
7	13.8	PROVAN	JEREMY S	20227 LAUREL HILL WAY	GERMANTOWN	MD	20874	5.567 A STULLS RUN	604/444
7	13.9	BROWN	JOSHUA	3679 BAYTREE ST	PITTSBURGH	PA	15205	6.549 A STULLS RUN	619/445
7	17	JAGA INC		RR 1 BOX 292	MOUNDSVILLE	WV	26041	16.03 STULLS RUN	585/271
7	17.3	PRINS	SHIRLEY	RR 1 BOX 270B	MOUNDSVILLE	WV	26041	10.023 A STULLS RUN	609/438
7	17.7	TSACRIOS	NICKY M JR ET UX	RD 1 BOX 323	MOUNDSVILLE	WV	26041	20.678 A STULLS RUN	530/509
7	17.13	TSACRIOS	NICHOLAS	PO BOX 323	MOUNDSVILLE	WV	26041	6.576 A STULLS RUN	607/629

**EXHIBIT A - SURFACE TRACTS (BAILEY MINE)**  
**Tax Map 7, Webster District, Marshall County, West Virginia**

Tax Map	Parcel	Last Name	First Name	Street Address	City	State	Zip	Assessment Description	Reference
7	17.14	PRINS	SHIRLEY	RR 1 BOX 270B	MOUNDSVILLE	WV	26041	33.726 A STULLS RUN	609/441
7	18	MCCARDLE	DAVID W	RR 1 BOX 273A	MOUNDSVILLE	WV	26041	41.301 A STULLS RUN	585/136
7	19	GORAKSHYA-SEVA TRUST OF AMERICA		RR 6 BOX 278B	WHEELING	WV	26003	135.05 A OAK DALE	609/257
7	19.1	BAHULAVAN AND VRINDABAN, INC.		RR 1 BOX 292	MOUNDSVILLE	WV	26041	15.472 A OAK DALE	673/558
7	21	RIEDMAN	THOMAS MERLIN ET UX	RR 1 BOX 281	MOUNDSVILLE	WV	26041	59.803 STULLS RUN	555/534
7	22	BOCK	THOMAS A ET UX	RR 1 BOX 282	MOUNDSVILLE	WV	26041	48.766 A STULLS RUN	487/23
7	23	HASLAM	KEITH ET UX	RR 1 BOX 289	MOUNDSVILLE	WV	26041	26.402 A STULLS RUN	614/458
7	23.3	HASLAM	LORRAINE	RD 1 BOX 289	MOUNDSVILLE	WV	26041	10.23 AC STULLS RUN 1968	
7	24	JAGA INC		RR 1 BOX 292	MOUNDSVILLE	WV	26041	MOBILE HOME AND CABIN	665/647
7	24.1	GORAKSHYA-SEVA TRUST OF AMERICA		RR 6 BOX 278-D	WHEELING	WV	26003	56.78 A STULLS RUN	614/158
7	24.2	HARRIS	MATTHEW	RR 1 BOX 315	MOUNDSVILLE	WV	26041	30.932 A STULLS RUN	616/32
7	24.3	DIFRANCISCO	FREDERICK L	RR 1 BOX 289B	MOUNDSVILLE	WV	26041	6.648 A STULLS RUN	
7	25	COFFIELD	WILLIAM E & BRENDA K ET AL	RR 1 BOX 242	MOUNDSVILLE	WV	26041	10 STULLS RUN	660/136
7	26	COFFIELD	WILBERT ET AL	RR 1 BOX 473	MOUNDSVILLE	WV	26041	PT 81.67 STULLS RUN	671/155
7	26	LAWHEAD	JUDITH ET AL					PT 81.67 STULLS RUN	662/288
7	26.2	RICE	STEVEN T & TAMMIE R	RR 4 BOX 214B	CAMERON	WV	26033	6.75 A STULLS RUN	652/647
7	27	COFFIELD	WILLIAM E & BRENDA K	RR 1 BOX 242	MOUNDSVILLE	WV	26041	76.34 STULLS RUN	660/136
7	28	COFFIELD	WILLIAM E & BRENDA K	RR 1 BOX 242	MOUNDSVILLE	WV	26041	46.06 STULLS RUN	660/136
7	29	FRIED	GABRIEL B	RR 1 BOX 271	MOUNDSVILLE	WV	26041	114.91 STULLS RUN	550/501
7	30	SCHRACK	DAVID W	RR 4 BOX 319B	CAMERON	WV	26033	40 STULLS RUN & O&G	596/29
7	31	WALKER	LLOYD E & MARGARET A	RR 1 BOX 280A	WHEELING	WV	26003	8.44 A NEAR LIMESTONE & O&G	647/552
7	32	WALKER	LLOYD E & MARGARET A	RR 1 BOX 280A	WHEELING	WV	26003	6.62 A NEAR LIMESTONE & O&G	647/552

STATE OF WEST VIRGINIA, MARSHALL COUNTY, SCT.:

I, JAN PEST, Clerk of the County Commission of said County, do hereby certify that the annexed writing, bearing date on the 16th day of January, 2009, was presented for and by me, admitted to record in my office upon the above certificate as to the parties therein named this 4th day of May, 2009 at 9:13 o'clock A.M.

TESTE: Jan Pest Clerk.